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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

Venice PI, LLC et al.,	)	<b>Case No.: 1:19-cv-169-LEK-KJM</b>
	)	<b>(Copyright)</b>
Plaintiff,	)	
vs.	)	<b>PLAINTIFFS' SCHEDULING</b>
	)	<b>CONFERENCE STATEMENT</b>
Doe 1 et. al.	)	
Defendants.	)	<b>SCHEDULING CONFERENCE</b>
	)	<b>DATE: 7/11/2019 @ 9:00 AM</b>
	)	<b>BEFORE MAGISTRATE JUDGE</b>
	)	<b>KENNETH J. MANSFIELD</b>
	)	
	)	
	)	

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PLAINTIFFS' SCHEDULING CONFERENCE STATEMENT

Comes now Plaintiffs, above-named, and hereby submit their scheduling conference statement pursuant to Rule 16.2 of the Local Rules of Practice for the United States District Court for the District of Hawaii.

I. NATURE OF THE CASE

Plaintiffs Venice PI, LLC, MON LLC, Millennium Funding, Inc., Bodyguard Productions, Inc., TBV Productions, LLC, UN4 Productions, Inc., and Hunter Killer Productions, Inc. (collectively “Plaintiffs”) are the registered copyright owner of the following motion picture:

<b>OWNER</b>	<b>MOTION PICTURE</b>	<b>Copyright Certificate Number</b>
Venice PI, LLC	<i>Once Upon a Time in Venice</i>	PA2039391
MON LLC	<i>Singularity</i>	PAu3848900
Millennium Funding, Inc.	<i>Mechanic: Resurrection</i>	PA1998057
Bodyguard Productions, Inc.	<i>The Hitman’s Bodyguard</i>	PAu3844508
TBV Productions, LLC	<i>I Feel Pretty</i>	Pau3896491
UN4 Productions, Inc.	<i>Boyka: Undisputed</i>	PA0002000772
Hunter Killer Productions, Inc.	<i>Hunter Killer</i>	PA2136168

Defendant DOE 1 streamed copies of Plaintiffs’ Works from the interactive website yifymovies.is (“YIFY”) and promoted the YIFY website for this very infringing purpose. Defendant DOE 2 distributes torrent files for copying Plaintiffs’ Works from the interactive websites (yify.ag, yify.gg, yify.am and now yify.lt) (“YTS”) and promotes the website for the infringing purpose. Defendants DOES 4-10 provide streaming sources for the YIFY website of Defendant DOE 1.

Plaintiffs are suing the Defendants DOE 1, DOE 2 and DOES 4-10 (“Defendants”) for contributing to copyright infringement and intentional inducement. Originally named Defendants DOE 3, MICHAEL NOLASCO and BRENT BALDWIN have been dismissed from the case per joint stipulations or judgments. The Complaint was filed on April 4, 2019.

Defendants DOE 1 and DOE 2 anonymously registered their domains and used the content delivery network provider Cloudflare to conceal the IP address of their websites. Accordingly, Plaintiffs only knew the website addresses of Defendants DOE 1 and DOE 2 as alleged in the Complaint. Defendants only know the IP addresses Defendants DOES 4-10 used to provide access to the streaming content. Accordingly, Plaintiffs filed a motion for leave to subpoena Defendants’ international web host registrars and host service providers in order to obtain the true identities of the Defendants DOE 1 and DOE 2 to serve them with the summons and complaint. [Doc. #27]. The Court denied this motion on July 1, 2019. [Doc. #32].

## II. JURISDICTION AND VENUE

In the Order denying the Motion on July 1, 2019, the Court asserted that it lacks personal jurisdiction over Defendants. Plaintiffs respectfully disagree. Defendants have committed unlawful and tortious acts both within and outside this jurisdiction with the full knowledge that their acts would cause injury in this

jurisdiction. As such, Defendants have sufficient contacts with this judicial district to permit the Court's exercise of personal jurisdiction over each.

In the alternative, the Court has jurisdiction pursuant to Fed. R. Civ. P. 4(k)(2), the so-called federal long-arm statute, for at least the following reasons: (1) Plaintiffs' claims arise under federal law; (2) the Defendants DOE 1 and DOE 2 purposely directed their electronic activity into the United States and target and attract a substantial number of users in the United States and, more particularly, this District; (3) Defendants do so with the manifest intent of engaging in business or other interactions with the United State; (4) the Defendants are not subject to jurisdiction in any state's courts of general jurisdiction; and (5) exercising jurisdiction is consistent with the United States Constitution and laws.

Plaintiffs respectfully submit that this Court has subject matter jurisdiction over this action pursuant to 17 U.S.C. §§ 101, et. seq., (the Copyright Act), 28 U.S.C. § 1331 (federal question), and 28 U.S.C. § 1338 (patents, copyrights, trademarks, and unfair competition).

Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) - (c) because: (a) all or a substantial part of the events or omissions giving rise to the claims occurred in this District.

### III. DEMAND FOR JURY TRIAL

The Plaintiffs demanded a jury trial in the Complaint.

IV. INITIAL DISCLOSURES

Plaintiffs will submit their initial disclosures in accordance with the rules after conferencing with the Defendants.

V. DISCOVERY AND MOTIONS

Plaintiffs' motion for a temporary restraining order was held in abeyance until after Plaintiffs complete service on Defendants [Doc. #16]. Plaintiffs have not yet, but may in the future, file dispositive motions.

Plaintiffs have requested and had third party subpoenas issued pursuant to 17 USC §512 to service providers that hosted the websites of Defendants DOE 1 and DOE 2 and the infringing content sources of Defendants DOES 4-10.

VI. SPECIAL PROCEDURES

Plaintiffs do not request any special procedures at this time.

VII. RELATED CASES

None.

VIII. ADDITIONAL MATTERS

Plaintiffs request that the scheduling conference be postponed or continued for two months until September 11, 2019 at which time Plaintiffs can advise the Court on the progress of identifying and serving the Defendants.

DATED: Kailua-Kona, Hawaii, July 3, 2019.

CULPEPPER IP, LLC

/s/ Kerry S. Culpepper  
Kerry S. Culpepper

Attorney for Plaintiffs